



Suffolk County Sheriff's Department

ANDREA J. CABRAL
SHERIFF

Jail
200 Nashua Street
Boston, MA 02114
(617) 635-1100

House of Correction
20 Bradston Street
Boston, MA 02118
(617) 635-1000

By Fax and U.S. Mail

June 29, 2005

Anton P. Giedt
Assistant United States Attorney
United States Attorney's Office
John Joseph Moakley United States Courthouse
1 Courthouse Way
Boston, MA 02210

RE: Sheila J. Porter v. Andrea Cabral, et al No. 11935-DPW
Deposition Subpoenas for Michael Sullivan, Gerard Leone and Stephen Huggard

Dear Attorney Giedt:

As you know I represent defendants Andrea Cabral, Suffolk County Sheriff's Department and Suffolk County in the above-referenced matter. In her complaint, Mrs. Porter alleges that she was unlawfully barred by the defendants from the Suffolk County House of Correction (HOC) in June 2003 because she provided information to the FBI regarding suspected inmate abuse at the HOC. In support of her allegations, Mrs. Porter asserts that, at the request of the FBI, she began providing information to the FBI regarding the Suffolk County Sheriff's Department beginning in 1999 and continuing until June 2003. In addition to providing information, Mrs. Porter also alleges that, at the request of the FBI, she placed a recording device on an inmate while he was incarcerated at the Suffolk County House of Correction in or around November 2002. Mrs. Porter contends that in May 2003 the defendants discovered that she was providing information to the FBI and consequently barred her from the HOC on June 10, 2003.

Mrs. Porter has identified two FBI agents, Maureen Robinson and Christa Snyder, as having relevant knowledge about her cooperation with the FBI and the allegations set forth in her complaint. Agent Robinson is the FBI agent who recruited her in 1999. Agent Snyder is the FBI agent to whom Mrs. Porter reported the suspected inmate abuse on or about May 20, 2003, which she contends resulted in her barring. Further, Mrs. Porter phoned Agent Snyder on or about May 20, 2003 to report that investigators from the Sheriff's Investigation Division questioned her regarding her previously having provided information to the FBI. It is that questioning by Sheriff's investigators that Mrs. Porter alleges violated her rights under the Massachusetts Civil Rights Act.

On or about June 16, 2003, Sheriff Cabral and members of her senior management staff (Chief of Staff Elizabeth Keeley and Deputy Superintendent Viktor Theiss) met with United States Attorney Michael Sullivan, First Assistant United States Attorney Gerry Leone, Assistant United States Attorney Stephen Huggard, SAC Ken Kaiser and other members of the Department of Justice. During the course of this meeting the issue of the barring of Sheila Porter from the HOC was raised by the United States Attorney. Sheriff Cabral and Chief Keeley articulated the reasons why the barring of Mrs. Porter, a contract worker, was appropriate. Those reasons formed the basis for Sheriff Cabral's decision on June 10, 2003 to bar Mrs. Porter.

Please accept this correspondence as a formal request pursuant to 28 C.F.R. §16.22(c) to depose United States Attorney Michael Sullivan, Former First Assistant United States Attorney Leone and Former Assistant United States Attorney Stephen Huggard. (See copies of subpoenas attached). All of these individuals were present at the meeting on June 16, 2003 where Sheriff Cabral and members of her staff publicly articulated the reasons for the decision to bar Mrs. Porter on June 10, 2003. The defendants believe that this testimony is critical to rebut the Plaintiff's assertion that her barring was in retaliation for providing information to the FBI.

I have previously submitted a request to depose Agents Robinson and Snyder and for the production of any and all information in the possession of the FBI regarding Mrs. Porter's cooperation with the FBI from 1999 through June 2003. (See letter to Frank Davis, dated April 29, 2005 attached). The Court has ordered that all discovery be completed by June 30, 2005. Therefore I am asking that this request, as well as my prior request, be expedited. Please advise if additional information is required. Thank you for your consideration.

Very truly yours,



Ellen M. Caulo
Deputy General Counsel
(617) 989-6681

Enc.